

## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER

## OF ATTORNEY

(Includes Reference to PCT International Applications)

Rec'd PCT/PTO 12 MAY 2005

As a below named inventor, I hereby declare that:

10/534745

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MINIATURISED ELECTRO-OPTICAL DEVICE AND CORRESPONDING USES.

the specification of which (check only one item below):

[ ] is attached hereto.

[ ] was filed as United States application

Serial No.

on \_\_\_\_\_

and was amended

on \_\_\_\_\_ (if applicable).

 was filed as PCT international application

Number PCT/ES2003/000584

on 18 November 2003.

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
PCT	PCT/ES2003/000584	18 November 2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Spain ✓	200202792 ✓	19 November 2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF  
ATTORNEY (Continued)  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET  
NO.  
Rec'd PCT/PTO 12 MAY 2005

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application: **10/534745**

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR  
BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

  

PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		
PCT/ES2003/000584	18 November 2003			
PCT/ES03/00584				

POWER OF ATTORNEY: I hereby appoint the attorneys and agents of Staas & Halsey LLP under USPTO Customer No. 21,171 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



1-002	FULL NAME OF INVENTOR	FAMILY NAME <u>MONTANYA SILVESTRE</u>	FIRST GIVEN NAME <u>Josep</u>	SECOND GIVEN NAME
1	RESIDENCE & CITIZENSHIP	CITY 08191-Rubi (Barcelona) <i>ESX</i>	STATE OR FOREIGN COUNTRY Spain	COUNTRY OF CITIZENSHIP Spain <input checked="" type="checkbox"/>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Josep Saltó 4-6	CITY 08191-Rubi (Barcelona)	STATE & ZIP CODE/COUNTRY Spain
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.				
SIGNATURE OF INVENTOR 201 <i>JOSEP MONTANYA SILVESTRE</i>		SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203	
DATE 2 May 2005		DATE	DATE	

Attorney's Docket No. \_\_\_\_\_

Applicant or Patentee: Josep Montanyà Silvestre

Serial or Patent No.:

Confirmation No.:

Filed or Issued:

For: MINIATURISED ELECTRO-OPTICAL DEVICE AND CORRESPONDING USES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 C.F.R. 1.27(a) and 13 C.F.R. Part 121 -- SMALL BUSINESS  
CONCERN (37 C.F.R. 1.27(a)(2))**

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF  
CONCERN BAOLAB MICROSYSTEMS S.L.

ADDRESS OF  
CONCERN Institut Politècnic Campus de Terrassa, Ctra. Nacional 150,  
Km. 14,5, 08220-Terrassa (Barcelona) Spain

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 C.F.R. 1.27(a)(2) and 13 C.F.R. Part 121, the latter cited in 37 C.F.R. 1.27(a)(2)(ii), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that (a) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons and (b) the concern has not assigned, granted, conveyed, or licensed (and is under no obligation to do so) any rights in the invention to any person who made it and could not be classified as an independent inventor, or to any concern which would not qualify as a non-profit organization or a small business concern under this section. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

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S&H Form: (2/01)

I hereby declare that all rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention, entitled MINIATURISED ELECTRO-OPTICAL DEVICE AND CORRESPONDING USES by inventor(s) Josep Montanyà Silvestre

described in

the specification filed herewith.  
 application serial no. \_\_\_\_\_ confirmation no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

and I hereby declare that all rights under contract or law have been conveyed to and remain with the small business with regard to the above identified invention. Further, I declare that this nonprofit organization indicated above has not assigned, granted, conveyed, or licensed and there is no obligation of the small business to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.27(a)(1) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. 1.27(g)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Manuel Conde Moragues  
TITLE Chief Executive Officer  
ORGANIZATION  
ADDRESS OF PERSON SIGNING Avda. Tibidabo 61, 08035-Barcelona, Spain

SIGNATURE Manuel Conde Moragues Date: 2 May 2005